

AMENDED IN ASSEMBLY JANUARY 4, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1005

Introduced by Assembly Member Dickinson

February 18, 2011

An act to add Section 4582.73 to the Public Resources Code, relating to forest practices.

LEGISLATIVE COUNSEL'S DIGEST

AB 1005, as amended, Dickinson. Forest practices: timber harvesting plan.

The Z'Berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations unless a timber harvesting plan prepared by a registered professional forester has been submitted to the Department of Forestry and Fire Protection. The Forest Practice Act of 1973 provides that the Director of Forestry and Fire Protection has the final authority to determine whether a timber harvesting plan conforms with rules and regulations pertaining to timber harvesting. Existing law also provides that the director's authority is for purposes of approval by the department.

This bill would require the Secretary of the Natural Resources Agency to convene a timber harvest working group to consider and refine options for streamlining and providing additional revenue for the state's timber harvest regulatory program. The working group would be composed of representatives from environmental organizations and the timber industry, and the chairperson and vice chairperson of certain legislative committees. The bill would authorize the Secretary of the Natural Resources Agency to designate one or more individuals representing the Department of Forestry and Fire Protection, the

Department of Fish and Game, the California Coastal Commission, the California Geological Survey, and the State Water Resources Control Board to serve on the working group.

The bill would require the working group, on or before June 1, 2013, to report its recommendations to the Legislature.

~~This bill, would additionally require the Department of Fish and Game, the appropriate regional water quality control board, the California Geological Survey, and, where applicable, the California Coastal Commission to conduct a review of a timber harvesting plan to determine environmental issues and mitigation measures. If that review raises environmental issues and mitigation measures suggested by the reviewing entities are not deemed necessary by the director, the bill would require the Secretary for Natural Resources to review the plan for final determination.~~

~~This bill would require the department to establish a charge to cover the reasonable cost of these reviews to be paid by the person submitting a timber harvesting plan for approval.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. (a) The Secretary of the Natural Resources*
- 2 *Agency shall convene a timber harvest working group to consider*
- 3 *and refine options for streamlining and providing additional*
- 4 *revenue for the state's timber harvest regulatory program.*
- 5 *(b) The working group shall be composed of the following*
- 6 *persons:*
- 7 *(1) The Governor shall appoint one representative of an*
- 8 *environmental organization and one representative from the timber*
- 9 *industry.*
- 10 *(2) The Speaker of the Assembly and the Senate Committee on*
- 11 *Rules shall each appoint two representatives of environmental*
- 12 *organizations and two representatives from the timber industry.*
- 13 *(3) The chairperson and vice chairperson, or their designated*
- 14 *representatives, of the Assembly Committee on Natural Resources,*
- 15 *the Assembly Committee on Accountability and Administrative*
- 16 *Review, and the Senate Committee on Natural Resources and*
- 17 *Water.*

1 (4) *The chairperson, or his or her designated representative,*
2 *of the Assembly Committee on Budget and the Senate Committee*
3 *on Budget and Fiscal Review.*

4 (c) *The Secretary of the Natural Resources Agency may*
5 *designate one or more individuals representing the Department*
6 *of Forestry and Fire Protection, the Department of Fish and Game,*
7 *the California Coastal Commission, the California Geological*
8 *Survey, and the State Water Resources Control Board to serve on*
9 *the working group.*

10 (d) *The Legislative Analyst shall provide technical assistance*
11 *to the working group.*

12 (e) *On or before June 1, 2013, the working group shall report*
13 *its recommendations to the Legislature.*

14 (f) *A report to be submitted pursuant to subdivision (e) shall be*
15 *submitted in compliance with Section 9795 of the Government*
16 *Code.*

17 ~~SECTION 1. Section 4582.73 is added to the Public Resources~~
18 ~~Code, to read:~~

19 ~~4582.73. (a) In addition to Section 4582.7, a timber harvesting~~
20 ~~plan shall be subject to both of the following:~~

21 ~~(1) A review conducted by the Department of Fish and Game,~~
22 ~~the appropriate regional water quality control board, the California~~
23 ~~Geological Survey, and, where applicable, the California Coastal~~
24 ~~Commission.~~

25 ~~(2) If the review finds environmental issues and mitigation~~
26 ~~measures suggested by the reviewing entities are not deemed to~~
27 ~~be necessary by the director, the plan shall be reviewed by the~~
28 ~~Secretary for Natural Resources Agency for final determination.~~

29 ~~(b) The department shall establish a charge to cover the~~
30 ~~reasonable cost of the reviews required by this section to be paid~~
31 ~~by the person submitting a timber harvesting plan for approval.~~